

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 1736 – HB 2033

March 6, 2016

SUMMARY OF ORIGINAL BILL: Requires any person or entity that posts signage prohibiting the possession of firearms on a property, for purposes of liability, to accept custodial responsibility for the safety and defense of any handgun carry permit holder harmed while on the posted property. Sets statute of limitations for such an action to be two years from the date of the occurrence. Mandates that any notice or signage posted forbidding handgun carry permit holders from possessing a firearm must also contain language stating that any permit holder on the posted property is under the custodial responsibility of the posting person or entity.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures - \$88,600/One-Time

Increase Local Expenditures - Exceeds \$44,300/One-Time/Permissive

Other Fiscal Impact – To the extent a civil cause of action is brought against the state or a local government entity, there may be additional increases in state or local expenditures to litigate any such action.

SUMMARY OF AMENDMENT (013338): Deletes all language of the original bill. Creates immunity from civil liability for a person, business, or other entity that owns, controls, or manages property, and has the authority to prohibit weapons on such property by posting signage pursuant to Tenn. Code Ann. § 39-17-1359, with respect to any claim based on the person's, business's or other entity's failure to adopt a policy prohibiting weapons on the property. Specifies that the immunity granted under this legislation does not apply to a person, business, or other entity whose conduct or failure to act is the result of gross negligence or willful or wanton misconduct.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

NOT SIGNIFICANT

Assumption for the bill as amended:

- The provisions of the bill as amended are not anticipated to have a significant impact on the number of civil action cases brought in the court system. As a result, any fiscal impact as a result of this legislation is estimated to be not significant.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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